

MINUTES OF THE REGULAR CITY COUNCIL MEETING
CITY OF BEE CAVE
APRIL 10, 2012

STATE OF TEXAS §

COUNTY OF TRAVIS §

Present:

Caroline Murphy, Mayor
Chad Bockius, Council Member
Bob Dorsett, Jr., Council Member
Bill Goodwin, Council Member
Jack McCool, Mayor Pro Tem
Mike Murphy, Council Member

City Staff:

Frank Salvato, City Administrator
Travis Askey, Deputy City Administrator
Patty Akers, City Attorney
Kaylynn Holloway, City Secretary
Giancarlo Patino, Engineer Associate
Lindsey Withrow, Community Services Director
Stephen Myrick, Building Official
Barbara Hathaway, Library Director
Amy Kelley, Systems Administrator

Call to Order and Announce a Quorum is Present

With a quorum present, the Regular Meeting of the Bee Cave City Council was called to order by Mayor Murphy at 6:00 p.m. on Tuesday, April 10, 2012 in the Council Chambers of the City of Bee Cave City Hall, 4000 Galleria Parkway, Bee Cave, Texas.

Pledge of Allegiance

Citizen Comments

Ed Krach, 13421 Overland Pass, stated that he was disappointed in the Council for their approval of the zoning change in Town Center for the lube center.

Consent Agenda.

- A. Consider approval of minutes of the Regular meeting conducted on March 27, 2012.
- B. Consider approval of the Municipal Court quarterly report.
- C. Consider correcting minutes of December 13, 2011, to approval of Third Amendment to Morningside Development Agreement.

MOTION: A motion was made by Council Member Goodwin, seconded by Mayor Pro Tem McCool, to approve the consent agenda items A and B.

The vote was taken on the motion with the following result:

Voting Aye:	Mayor Pro Tem McCool, Council Members Bockius, Dorsett, Goodwin and Murphy
Voting Nay:	None
Absent:	None

The motion carried.

Item C – Correcting minutes of December 13, 2011.

Council Member Murphy commented on the correction in the minutes.

MOTION: A motion was made by Mayor Pro Tem McCool, seconded by Council Member Murphy, to approve the correction to the minutes of December 13, 2011.

The vote was taken on the motion with the following result:

Voting Aye:	Mayor Pro Tem McCool, Council Members Bockius, Dorsett Goodwin and Murphy
Voting Nay:	None
Absent:	None

The motion carried.

Discuss and consider action on the site plan amendment for Hill Country Galleria Townhome elevations, located on Galleria Circle.

Brad Walters with Bluestem Residential presented this item.

Adrian Overstreet, Asset Manager for the Hill Country Galleria, commented on this item.

MOTION: A motion was made by Council Member Murphy, seconded by Council Member Bockius, to approve the site plan amendment, not including lot 21, for the Hill Country Galleria Townhome elevations.

The vote was taken on the motion with the following result:

Voting Aye: Mayor Pro Tem McCool, Council Members Bockius, Dorsett
Goodwin and Murphy
Voting Nay: None
Absent: None

The motion carried.

Discuss and consider action on the final plat for the Hill Country Galleria Townhomes, Phase 2, Lots 23X, 23M-23P, Block A, located on Galleria Circle.

MOTION: A motion was made by Council Member Murphy, seconded by Council Member Bockius, to approve the final plat for the Hill Country Galleria Townhomes, Phase 2, Lots 23X, 23M-23P, Block A.

The vote was taken on the motion with the following result:

Voting Aye: Mayor Pro Tem McCool, Council Members Bockius, Dorsett
Goodwin and Murphy
Voting Nay: None
Absent: None

The motion carried.

Discuss and consider action on a site plan amendment for Lot 25 Block A, located in the Hill Country Galleria.

Mr. Overstreet spoke on this item.

MOTION: A motion was made by Council Member Murphy, seconded by Council Member Dorsett, to approve the site plan amendment for Lot 25, Block A in the Hill Country Galleria.

The vote was taken on the motion with the following result:

Voting Aye: Mayor Pro Tem McCool, Council Members Bockius, Dorsett
Goodwin and Murphy
Voting Nay: None
Absent: None

The motion carried.

Discuss and consider action on Spanish Oaks Office Park preliminary and final plats, located on Spanish Oaks Club Blvd.

MOTION: A motion was made by Council Member Goodwin, seconded by Mayor Pro Tem McCool, to approve the Spanish Oaks Office Park preliminary and final plats.

The vote was taken on the motion with the following result:

Voting Aye:	Mayor Pro Tem McCool, Council Members Bockius, Dorsett Goodwin and Murphy
Voting Nay:	None
Absent:	None

The motion carried.

Discuss and consider action on an adjustment to the telecommunications right-of-way access lines rates.

Frank Salvato, City Administrator, reported on this item.

No action was taken.

Discuss and consider action on a nomination to the Board of Directors of the West Travis County Public Utility Agency.

This item will be considered again at the next Council meeting.

Discuss and consider action on the consent to assignment of the restated and amended Agreement for Use of Public Places for Construction of Water Supply System and the restated and amended Wastewater Service Agreement from the Lower Colorado River Authority to the West Travis County Public Utility Agency.

Patty Akers, City Attorney, addressed this item.

MOTION: A motion was made by Council Member Goodwin, seconded by Council Member Dorsett, to approve the consent to assignment of the restated and amended Agreement for Use of Public Places for Construction of Water Supply System and the restated and amended Wastewater Service Agreement from the Lower Colorado River Authority to the West Travis County Public Utility Agency.

The vote was taken on the motion with the following result:

Voting Aye:	Mayor Pro Tem McCool, Council Members Bockius, Dorsett Goodwin and Murphy
Voting Nay:	None
Absent:	None

The motion carried.

Executive Session

The City Council closed the Open Session at 7:30 p.m. to convene in Executive Session in the Conference Room.

At this point in the meeting, Mayor Murphy publicly announced that a closed, executive session would be held and identified the sections of the Open Meeting Law under which the meeting would be held.

Executive session in accordance with the Texas Government Code, Section 551-072 – Deliberation regarding real property and Section 551.071 – Consultation with Attorney in which the Attorney has a duty to the City under the Texas Disciplinary Rules of Professional Conduct that clearly conflicts with the provisions of the Open Meetings Law.

- A. Consultation with Attorney regarding authority of city to enforce building, sign and development ordinances and litigation with AusPro Enterprises, LP.
- B. Consultation with Attorney regarding the Acquisition, Water Supply, Wastewater Treatment and Conditional Purchase Agreement between the City of Bee Cave and the West Travis County Public Utility Agency.

The City Council closed the Executive Session at 8:43 p.m. and reconvened in Regular Session in the Council Chambers.

Discuss and consider action on Ordinance No. 109, an ordinance approving the Acquisition, Water Supply, Wastewater Treatment and Conditional Purchase Agreement between the City of Bee Cave and the West Travis County Public Utility Agency.

MOTION: A motion was made by Council Member Dorsett, seconded by Council Member Bockius, to approve Ordinance No. 109 subject to review and approval by the City Attorney.

The vote was taken on the motion with the following result:

Voting Aye: Mayor Pro Tem McCool, Council Members Bockius, Dorsett
Goodwin and Murphy
Voting Nay: None
Absent: None

The motion carried.

Adjournment

MOTION: A motion was made by Council Member Bockius, seconded by Council Member Dorsett, to adjourn.

The vote was taken on the motion with the following result:

Voting Aye: Mayor Pro Tem McCool, Council Members Bockius, Dorsett,
Goodwin, and Murphy
Voting Nay: None
Absent: None

The motion carried.

The City Council adjourned the Regular Session at 8:44 p.m.

PASSED AND APPROVED this 24th day of April, 2012.

Caroline Murphy, Mayor

ATTEST:

Kaylynn Holloway, City Secretary

[SEAL]